

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHARLES DWIGHT McKEE,

Petitioner.

Case No. C21-5614-RAJ

V.

JEFFREY UTTECHT,

Respondent.

ORDER DISMISSING FEDERAL HABEAS ACTION

The Court, having reviewed Petitioner's petition for writ of habeas corpus,

Respondent's answer to the petition, the Report and Recommendation of United States Magistrate Judge S. Kate Vaughan, any objections thereto, and the remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted.

ORDER DISMISSING FEDERAL HABEAS ACTION - 1

1 (2) Petitioner's petition for writ of habeas corpus (Dkt. # 5) and this action are
2 DISMISSED, with prejudice, as untimely under 28 U.S.C. § 2244(d).

3 (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in
4 the United States District Courts, a certificate of appealability is DENIED.

5 (4) The Clerk is directed to send copies of this Order to Petitioner, to counsel
6 for Respondent, and to the Honorable S. Kate Vaughan.

7
8 DATED this 10th day of June, 2022.
9

10 
11

12 The Honorable Richard A. Jones
13 United States District Judge
14
15
16
17
18
19
20
21
22
23

ORDER DISMISSING FEDERAL
HABEAS ACTION - 2